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3 **TERRY KENNEDY,**

4 **Plaintiff,**

5 **vs.**

6 **BANK OF AMERICA, N.A. ET AL.,**

7 **Defendants.**

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10 Case No.: 12-CV-952 YGR

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13 **ORDER ENTERING TENTATIVE RULING**  
**GRANTING MOTION OF DEFENDANTS BANK**  
**OF AMERICA, N.A. AND RECONTRUST TO**  
**DISMISS AS THE ORDER OF THE COURT**

14 Pursuant to the parties' stipulation (Dkt. No. 41), the Court's Tentative Ruling Granting  
15 Motion of Defendants Bank of America, N.A. and Recontrust to Dismiss certain claims in the  
16 Second Amended Complaint (Dkt. No. 40) shall be the Order of the Court. Accordingly, for the  
17 reasons set forth therein, the Motion to Dismiss is **GRANTED** as to the First, Fourth, Fifth, Sixth,  
18 Seventh, Eighth, Ninth, Tenth and Eleventh Claims for Relief, without leave to amend. Defendant  
19 shall file and serve its answer to the Second and Third claims no later than July 23, 2012.

20 The hearing set for July 10, 2012 at 2:00 p.m. is **VACATED**.

21 This order terminates Docket No. 36.

22 **IT IS SO ORDERED.**

23 Date: July 9, 2012

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YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE